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Electronically filed on

Jan 26, 2007

Attorneys for Del Bunch and Ernestine Bunch

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE f/k/a USA CAPITAL, et
 al.,
 Debtor.

Case No. BK-S-06-10725-LBR
 Chapter 11

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Case No. BK-S-06-10726-LBR
 Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

Case No. BK-S-06-10727-LBR
 Chapter 11

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Case No. BK-S-06-10728-LBR
 Chapter 11

In re:
 USA SECURITIES, LLC,
 Debtor.

Case No. BK-S-06-10719-LBR
 Chapter 11

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☐ USA First Trust Deed Fund, LLC

NOTICE OF APPEAL

Date of Hearing: N/A
 Time of Hearing: N/A

Del Bunch and Ernestine Bunch, creditors and parties-in-interest ("Appellants"), by and through their undersigned counsel, Richard F. Holley, Esq., of the law firm of Santoro, Driggs, Walch, Kearney, Johnson & Thompson, hereby appeal under 28 U.S.C. § 158(d)(1) from the Order Denying Motion for Order Temporarily Allowing the Claim of Del and Ernestine Bunch

for Voting Purposes [Dkt. No. 2508] entered on January 19, 2007, a copy of which is attached hereto as Exhibit "A."

The names of all parties to the order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

Del Bunch, Appellant
Ernestine Bunch, Appellant

USA Commercial Mortgage Company, Debtor / Appellee

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Attorneys for Appellee

DATED this 26th day of January, 2007.

**SANTORO, DRIGGS, WALCH,
KEARNEY, JOHNSON & THOMPSON**



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Attorneys for Del Bunch and Ernestine Bunch

EXHIBIT A



Entered on Docket
January 19, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,
Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☐ All Debtors
☒ USA Commercial Mortgage Company
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Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

**Jointly Administered Under
Case No. BK-S-06-10725 LBR**

**ORDER DENYING MOTION FOR
ORDER TEMPORARILY ALLOWING
THE CLAIM OF DEL AND ERNESTINE
BUNCH FOR VOTING PURPOSES**

Date: January 3, 2007
Time: 9:30 a.m.

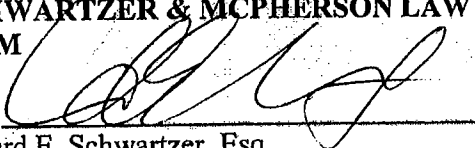
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1 The Motion For Order Temporarily Allowing The Claim Of Del And Ernestine Bunch For
 2 Voting Purposes (the "Motion") having come before this Court for hearing after notice, USA
 3 Commercial Mortgage Company (the "Debtor") appearing by and through its counsel, Lenard E.
 4 Schwartz of the Schwartz & McPherson Law Firm and Del and Ernestine Bunch, appearing by
 5 and through their counsel, Richard Holley, Esq. of Santoro Driggs Walch Kearney Johnson &
 6 Thompson; the Court having reviewed the briefs on file, having heard the arguments and
 7 representations of counsel and having made its findings of fact and conclusions of law on the
 8 record, it is

9 ORDERED that the Motion be, and hereby is, denied.

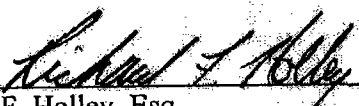
10 Prepared by

11
 12 RAY, QUINNEY & NEBEKER, P.C. and
 13 SCHWARTZER & MCPHERSON LAW
 14 FIRM

15 By: 
 16 Lenard E. Schwartz, Esq.
 17 Jeanette E. McPherson, Esq.
 18 Attorneys for the Debtors and Debtors in
 19 Possession

20 Approved Disapproved

21 SANTORO, DRIGGS, WALCH, KEARNEY,
 22 JOHNSON & THOMPSON

23 By: 
 24 Richard F. Holley, Esq.
 25 Counsel for Del and Ernestine Bunch

26 ###

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